

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano

City Council Summary Agenda/Minutes

October 25, 2016

7:00 P.M.

Call to Order - **Council President Gonzalez called the meeting to order at 7:20 p.m.**

Roll Call - **City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**

- Council Vice President Cue-Fuente
- Councilman Jose Caragol
- Councilwoman Vivian Casáls-Muñoz
- Councilwoman Isis Garcia-Martinez
- Council President Luis Gonzalez
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano

Also present were:

- Mayor Carlos Hernandez
- Lorena Bravo, City Attorney

Invocation – **Marbelys Fatjo, City Clerk, led the invocation.**

Pledge of Allegiance - **Councilman Caragol led the Pledge of Allegiance.**

Meeting Guidelines

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the City Clerk in English, and by Lisette Perez, Administrative Aide, Office of the City Clerk, in Spanish

Presentations – None.

1. Announcement of Amendments/Corrections to the Agenda –

- **Items W and X have been added to today's agenda.**
- **The version of the proposed ordinance of Item 3 has been amended since approved by the City Council on first reading.**

2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Councilwoman Casáls-Muñoz requested separate discussion on Items O and T.

REPORT: Councilman Hernandez requested separate discussion on Item W.

REPORT: Barlop Business Systems requested separate discussion on Item V.

REPORT: Motion to Approve the Consent Agenda, except Items O, T, V and W made by Council Vice President Cue-Fuente, and seconded by Councilwoman Casáls-Muñoz. Motion passed unanimously (7-0).

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on October 11, 2016. (OFFICE OF THE CITY CLERK.) **APPROVED 7-0**
- B. Request permission to issue a purchase order to the law firm of Hawkins, Delafield & Wood, LLP, for costs to be paid in association with legal services rendered from April 2016 through July 31, 2016 in connection with the design, construction and operation of the Reverse Osmosis Water Treatment Plant, in a total cumulative amount not to exceed \$50,000 of which \$21,127.29 has already been encumbered. (LAW DEPT.) **APPROVED 7-0**
- C. Request from Elite Tent Company, on behalf of Lowe's of Hialeah, FL, Store # 2254, for a Christmas Tree Sales Permit, with set-up taking place on November 14, 2016 and take-down on or before December 27, 2016, and with sales commencing on November 18, 2016 and ending on December 20, 2016, to be located at 1650 West 37th Street, Hialeah, Florida,

subject to recommendations from the Fire Department. (OFFICE OF THE CITY CLERK.)
APPROVED 7-0

- D. Request from The Home Depot, Store # 202, for a Christmas Tree Sales Permit, with set-up taking place on November 10, 2016 and take-down on December 31, 2016, and with sales commencing on November 25, 2016 and ending on December 25, 2016, to be located at 1590 West 49th Street, Hialeah, Florida, subject to recommendations from the Fire Department. (OFFICE OF THE CITY CLERK.) **APPROVED 7-0**
- E. Request permission to waive competitive bidding, since it is advantageous to the City, and issue two (2) purchase orders to KRONOS Systems Incorporated, for costs to be paid in association with outstanding invoices for the 2016-2017 fiscal year, for the service of Webstaff access to Administrative Staffing (Tele-Staff) functions through the internet for fire operations, with one purchase order being in the amount of \$10,374.70, and the second purchase order in the amount of \$5,556.52, for the service of Webstaff access to Administrative Staffing (Tele-Staff) functions through the internet for fire communications, for a total cumulative expense amount not to exceed \$15,931.22. (FIRE DEPT.)
APPROVED 7-0
- F. Request permission to award Hialeah Bid No. 2015/16-2000-12-021 – *Medical Supplies* to the following lowest responsive bidders: Bound Tree Medical, LLC, Midwest Medical Supply Company, LLC, Quadmed, Inc., Henry Schein, Inc., and Moore Medical LLC, for the purchase of medical supplies, for a period of twelve (12) months beginning on October 1, 2016 or the date of the award, whichever is later, and may be extended by mutual agreement, for additional twelve month period(s) up to a cumulative total of thirty-six (36) months, in a total cumulative amount not to exceed \$125,000. (FIRE DEPT.)
APPROVED 7-0
- G. Request permission to utilize State of Florida Contract No. 973-000-14-01 – *Management Consulting Services*, between KPMG, LLC and the State of Florida, Department of Management Services, in effect through January 15, 2020, to provide two (2) cost Allocation Plans: one being a full cost plan for use in allocating indirect costs to enterprise funds, internal service funds, and certain special revenue funds and the second being a plan prepared in accordance with OMB 2 CFR Part 225, respectively the OMB 2 CFR Part 200 (OMB 2 CFR) and may be used in allocating indirect costs to the City's federal grants programs, to be applied to the fiscal year ending on September 30, 2015, in a total cumulative amount not to exceed \$19,400. (FINANCE DEPT.) **APPROVED 7-0**
- H. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Tranny Tech Inc., vendor providing the lowest quotation, for repairs to transmissions of City vehicles, in a total cumulative amount not to exceed \$45,000. (FLEET MAINTENANCE DEPT.) **APPROVED 7-0**
- I. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Trimline Graphics International, Inc., vendor providing the lowest quotation, to purchase decals for City vehicles and for the service of applying said decals to the vehicles, in a total cumulative amount not to exceed \$65,000. (FLEET MAINTENANCE DEPT.) **APPROVED 7-0**

- J. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Rainbow Transmission & Auto Center Inc., vendor providing the lowest quotation, to purchase Allison transmission rebuilds for City vehicles, in a total cumulative amount not to exceed \$40,000. (FLEET MAINTENANCE DEPT.)

APPROVED 7-0

- K. Request permission to utilize State of Florida Contract No. 21100000-15-1 – *Agriculture and Lawn Equipment*, effective through June 30, 2017, and issue a purchase order to Kelly Tractor Co, to purchase caterpillar parts and services for the City's Caterpillar heavy equipment, in a total cumulative amount not to exceed \$40,000. (FLEET MAINTENANCE DEPT.)

APPROVED 7-0

- L. Request permission to issue a purchase order to Rainbow Window Tinting, Inc d/b/a Rainbow Emergency Equipment, to purchase emergency equipment and supplies for City vehicles, in a total cumulative amount not to exceed \$145,000. On March 27, 2012 Hialeah Bid No. 2011/12-3220-36-038 - *Furnish and Install Emergency Vehicle Equipment – Fire and Police* was awarded by the City Council, and on August 23, 2016 the City Council approved the second renewal of the contract for a period of one (1) year commencing on March 28, 2016 and ending on March 27, 2017. (FLEET MAINTENANCE DEPT.)

APPROVED 7-0

- M. Request permission to utilize Miami-Dade County Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, awarded by Miami-Dade County and effective through March 31, 2020, and issue a purchase order to TPH Acquisition LLLP d/b/a The Parts House, for the purchase of automotive parts and accessories for City vehicles, in a total cumulative amount not to exceed \$45,000. (FLEET MAINTENANCE DEPT.)

APPROVED 7-0

- N. Request permission for approval to pay the annual City membership dues to the Florida League of Cities, Inc., for providing a variety of benefits to the City, including legislative advocacy and updates, bond services, legal advice, access to the statewide newsletter, and educational webinars, in a total cumulative amount not to exceed \$26,325. (OFFICE OF THE MAYOR)

APPROVED 7-0

- O. Request permission to award Hialeah Bid No. 2015-16-3130-00-022 - *Apparel*, and issue a purchase order to the following vendors: Royal "T" Screen Printing Corp. d/b/a Unicommerce, Zipp Sporting Goods Inc, and Awards, LLC d/b/a Trophy World, lowest responsive bidders on one or more items, for the purchase of patron uniforms, in a total expense amount not to exceed \$70,000 for fiscal year 2015-2016. (DEPT. OF PARKS AND RECREATION)

APPROVED 7-0

REPORT: Councilwoman Casáls-Muñoz asked a question regarding Items O and T.

REPORT: Motion to Approve Item O made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed unanimously (7-0).

- P. Request permission to award Hialeah Bid No. 2015-16-3130-00-025 - *Carbon Dioxide*, and issue a purchase order to Carlon Inc. d/b/a Broward Nelson Fountain Service, for the

purchase of carbon dioxide for aquatic facilities, in a total cumulative amount not to exceed \$15,000. (DEPT. OF PARKS AND RECREATION) **APPROVED 7-0**

- Q.** Request permission to award Hialeah Bid No. 2015-16-3130-00-026 - *Sodium Hypochlorite*, to Sentry Industries, Inc., sole bidder, to purchase Sodium Hypochlorite for the aquatic centers, in a total cumulative amount not to exceed \$55,000. (DEPT. OF PARKS AND RECREATION) **APPROVED 7-0**
- R.** Request permission to award Hialeah Bid No. 2015-16-3130-00-023 - *Athletic Equipment*, to the following vendors: BSN Sports, LLC and S & S Worldwide, Inc., lowest responsive bidders on one or more items, to purchase athletic and recreational equipment for all parks, in a total expense amount not to exceed \$26,000. (DEPT. OF PARKS AND RECREATION) **APPROVED 7-0**
- S.** Request permission to award Hialeah Bid No. 2015-16-3130-00-022 - *Apparel*, and issue a purchase order to Royal T Screen Printing d/b/a Unicommerce and Zipp Sporting Goods Inc, lowest responsive bidders on one or more items, for the purchase of employee uniforms, in a total expense amount not to exceed \$20,000 for fiscal year 2015-2016. (DEPT. OF PARKS AND RECREATION) **APPROVED 7-0**
- T.** Request permission to award Hialeah Bid No. 2015-16-3130-00-024 - *Trophies*, and issue a purchase order to the following vendors: Awards, LLC d/b/a Trophy World and Millennium Awards, Inc., lowest responsive bidders on one or more items, for the purchase of trophies, medals and awards for the City's various sports leagues and special events, in a total expense amount not to exceed \$14,000. (DEPT. OF PARKS AND RECREATION) **APPROVED 7-0**

REPORT: Motion to Approve Item T made by Councilwoman Casáls-Muñoz, and seconded by Councilman Hernandez. Motion passed unanimously (7-0).

- U.** Request permission to utilize State of Florida Contract No. 56121000-15-1 – *Furniture: Library*, 425-001-12-1 – *Office and Files*, and 420-420-10-1 – *Furniture: Educational/Institutional*, with State of Florida Contract No. 56121000-15-1 – *Furniture: Library* being effective through February 21, 2019, and issue a purchase order to R. George & Associates, Inc., for the purchase of library furniture for John F. Kennedy Library, in a total cumulative amount not to exceed \$ 199,868.55. (LIBRARY AND GRANTS & HUMAN SERVICES DEPT.) **APPROVED 7-0**
- V.** Request permission to reject Hialeah Bid No. 2015/16-8500-60-004 - *Leasing of copiers & copier services*, since it is advantageous to the City in that the flaws in the solicitation undermine the City's ability to compare the proposals on an equal footing, to determine whether the proposal selected meets its expectation for level of service and quality in product, and ultimately to procure these services from the bidder providing the best overall value. Further request permission for the publication of a new competitive process. (PURCHASING DIV.) **APPROVED 6-1 -0**

REPORT: Jose Lopez, 8272 NW 164 Street, President of Barlop Business Systems, addressed the Council on this item.

REPORT: Robert Foti, 8151 SW 189 Street, President of Delta, addressed the Council on this item.

REPORT: Motion to Approve Item V made by Councilwoman Casáls-Muñoz, and seconded by Councilman Hernandez. Motion passed 6-1-0 with Councilwoman Garcia-Martínez voting “No” and the following Council Members voting “Yes”:

- Council President Gonzalez
- Councilman Hernandez
- Councilwoman Lozano
- Councilman Caragol
- Councilwoman Casáls-Muñoz
- Council Vice President Cue-Fuente

W. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Communications & Network Solutions, Inc., for the purchase of one (1) Automatic License Plate Reader (ALPR) terminal with equipment, in a total cumulative amount not to exceed \$49,120.59. (POLICE DEPT.) **APPROVED 7-0**

REPORT: Councilman Hernandez asked a question regarding this item.

REPORT: Major Hubert Ruiz, Hialeah Police Department, addressed the City Council on this item.

REPORT: Motion to Approve Item W made by Councilman Hernandez, and seconded by Councilwoman Casáls-Muñoz. Motion passed unanimously (7-0).

X. Report of Scrivener’s Error – Resolution No. 2016-113, Item AA of the October 11, 2016 City Council Meeting, was approved with the incorrect amount of \$4,289,289.00. This amount is being corrected to \$4,289,298.00. (STREETS) **APPROVED 7-0**

3. Second reading and public hearing of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. Zoning District Regulations, of the Code of Ordinances of the City of Hialeah, and in particular, adding a new Division 26 entitled “Transit Oriented Development District”, providing for a purpose; providing for goals and objectives; creating the Hialeah Transfer Station Sub-District and the Hialeah Market Station Sub-District; providing for implementation concepts; providing for permitted uses; establishing development standards; establishing building uses, design concept requirements, height and density incentives and bonuses; creating a parking improvement trust fund; and further providing for an order of precedence and reference to the master plan; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for an effective date. (PLANNING AND ZONING) **APPROVED AS AMENDED 7-0. ORDINANCE NO. 2016-64.**

Item was approved by the City Council on first reading on October 11, 2016. Second reading and public hearing was scheduled for October 25, 2016.

Item was approved by the Planning and Zoning Board on September 28, 2016.

REPORT: Deborah Storch, Planning & Zoning Official, City of Hialeah, presented a PowerPoint presentation.

REPORT: Juan Mullerat, President of Plus Urvia, 1829 SW 11 Terrace, addressed the City Council on this item.

REPORT: Motion to Approve as Amended Item 3 made by Councilman Hernandez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 7-0.

4. First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article II. Administration, Division 9 Administrative Variances, of the Code of Ordinances and in particular amending Section 98-256, entitled “Definitions” to add a variance for adopted design standards; amending Section 98-257 entitled “Administrative Variance Committee” identifying committee members and officers; amending Section 98-258 entitled “Limitation of Authority” providing for authority to consider requests for changes to approved pattern books; amending Section 98-259 entitled “Application” to provide for fees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for an effective date. (PLANNING AND ZONING) **APPROVED 7-0**

Item was approved by the Planning and Zoning Board on October 12, 2016.

REPORT: Debora Storch, Planning & Zoning Official, addressed the City Council on this item.

REPORT: Motion to Approve Item 4 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed unanimously (7-0). Second reading and public hearing is scheduled for November 8, 2016.

5. First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article II. Administration, Division 7 Zoning Changes, of the Code of Ordinances, and in particular amending Section 98-195 entitled “Fees” providing for fees related with the review, evaluation or approval of land use and zoning applications within a Transits Oriented Development District; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for an effective date. (PLANNING AND ZONING) **APPROVED 7-0**

Item was approved by the Planning and Zoning Board on October 12, 2016

REPORT: Motion to Approve Item 5 made by Councilwoman Garcia-Martinez, and seconded by Councilman Caragol. Motion passed unanimously (7-0). Second reading and public hearing is for November 8, 2016.

6. First reading of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. Zoning District Regulations, Division 26 entitled “Transit Oriented Development District” of the Code of Ordinances by adding a new Section 98-1559 entitled “Design Review Committee” for the purpose of reviewing proposed applications to ensure consistency with goals and objectives of the TOD District; providing for members and duties; repealing all ordinances or parts of ordinances in

conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for an effective date. (PLANNING AND ZONING) **APPROVED 7-0**

Item was approved by the Planning and Zoning board on October 12, 2016.

REPORT: Motion to Approve Item 6 made by Councilwoman Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed unanimously (7-0). Second reading and public hearing is scheduled for November 8, 2016.

7. First reading of proposed ordinance setting the election date for the General Election for the year 2017 for the date of Tuesday, November 21, 2017 for the offices of Mayor and the City Council whose terms have expired, pursuant to municipal powers vested by state law according to Florida Statutes §§ 166.021(4) and 100.3605(2) in order to conduct elections on the same date as other municipalities; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF THE CITY CLERK) **APPROVED 7-0**

REPORT: Councilman Hernandez asked a question regarding early voting, and the City Clerk responded.

REPORT: Motion to Approve Item 7 made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed unanimously (7-0). Second reading and public hearing is scheduled for November 8, 2016.

8. First reading of proposed ordinance providing for a Primary Election to be held on Tuesday, November 7, 2017 and a General Election to be held on Tuesday, November 21, 2017; providing for the Miami-Dade County Elections Department to conduct these elections and other matters relating thereto; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF THE CITY CLERK) **APPROVED 7-0**

REPORT: Motion to Approve Item 8 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed unanimously (7-0). Second reading and public hearing is scheduled for November 8, 2016.

9. Board Appointments – **None.**

10. Unfinished Business – **None.**

11. New Business – **None.**

12. Comments and Questions-

- **Councilwoman Casáls-Muñoz asked Debora Storch a question regarding the Design Review Committee.**
- **Frank De La Paz, 2300 West 84 Street, made a suggestion to the City Council regarding the naming of the plaza located on East 4 Avenue and Okeechobee Road.**

- **Juan Santana, 5601 West 10 Avenue, addressed the City Council.**
- **Mayor Hernandez, Councilwoman Casáls-Muñoz, and Council President Gonzalez addressed the City Council regarding the lighting of City Hall event for cancer awareness.**

REPORT: Councilwoman Garcia-Martinez left the Council Meeting at 8:22 p.m.

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

REPORT: All were duly sworn in.

- PZ 1. Second reading and public hearing of proposed ordinance allowing a variance permit to allow a pervious area of 24.2% (minimum of 30% required), parking setback of 51'2" (minimum of 55' required for residential developments); front setback of 5.2' (minimum of 10' required) and west side of 2" (5' required); property located at **226 East 7 Street, Hialeah**, zoned R-3-D; contra to Section §§ 98-641(a), 98-641(b), § 98-641(g), § 98-2056(b)(1); Hialeah Code of Ordinances; repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Fabulous Four, Inc.*) **APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.**
ORDINANCE NO. 2016-65.

Item was approved by the City Council on first reading on October 11, 2016. Second reading and public hearing was scheduled for October 25, 2016.

Item was approved by the Planning & Zoning Board on September 28, 2016.

Planners Recommendation: Approval

Property Owner: Fabulous Four Inc., 246 East 7th Street, # 1, Hialeah, Florida 33010

REPORT: Motion to Approve Item PZ 1 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

- PZ 2. First reading of proposed ordinance rezoning from R-2 (One and Two Family Residential District), C-1 (Restricted Retail Commercial) and C-2 (Liberal Retail Commercial) to R-3-3 (Multiple Family District); granting a Special Use Permit to allow the expansion of the Neighborhood Business District overlay regulations and granting a variance permit to allow the construction of an Elderly Residential Community, consisting of 77 units, with a floor area of less than 850 square feet for all units; where no more than 10% or 8 units may have a minimum of 600

square feet, to allow 76 parking spaces; where 174 spaces are required and to allow surface parking on front and side setbacks, where no parking is allowed on the front or side setbacks, contra to Hialeah, Florida Code §§ 98.1630.2, 98.1630.3(e) (4), and 98.1630.3(f) relating back to 98.2189(16). **Property consists of 17 vacant lots located on the east side of West 5th Avenue and 4 vacant lots on the west side of 4th Court, between West 23 Street and West 25 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Hialeah Housing Authority c/o Felix M. Lasarte, Esq.*)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

<i>Item was approved by the Planning and Zoning Board on October 12, 2016.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property owner: Hialeah Housing Authority</i>

REPORT: Motion to Approve Item PZ 2 made by Councilwoman Casáls-Muñoz.

REPORT: Motion to Withdraw the Motion to Approve and Motion to Table the Item made by Councilwoman Casáls-Muñoz, and seconded by Councilman Hernandez. Motion passed 6-0-1 with Councilwoman Garcia Martinez absent.

- PZ 3. Recommendation of denial by the Planning and Zoning Board of granting a variance permit to allow replatting of property into two substandard lots and allow the construction of a single family residence on each lot, lot 1 having a frontage of 51.3 feet, more or less, and total area of 5,130 square feet, and lot 2 having a frontage of 47 feet, more or less, where 75 feet is required for each, and total area of 4,700 square feet, where 7,500 square feet is required for each, for property located at **1421 East 6 Court, Hialeah**, zoned R-1 (One Family District). (*Applicant: Lumination Homes, LLC*)

<i>Item was tabled, per the request of the applicant's representative, on October 11, 2016 until October 25, 2016, due to a full City Council not being present.</i>
<i>Item was denied by the Planning and Zoning Board on September 28, 2016.</i>
<i>Planner's Recommendation: Approval with conditions</i>
<i>Property owner: Lumination Homes, LLC, 1474-A West 84 Street, Hialeah, FL 33014</i>

REPORT: Motion to Remove from Table made by Councilman Hernandez, and seconded by Councilman Caragol. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

REPORT: Michael Osman, 1474 West 84 Street, applicant, addressed the City Council on this item, and proffered documentation into the record.

REPORT: Joe Benadides, 1402 East 6 Court, addressed the City Council in opposition to the approval of this item.

REPORT: Gerald Ortega, 1481 East 6 Court, addressed the City Council in opposition to the approval of this item.

REPORT: Florencio Plaza, 680 East 14 Place, addressed the City Council in opposition to the approval of this item.

REPORT: Manuel Perdomo, 681 East 14 Street, addressed the City Council in opposition to the approval of this item.

REPORT: Debora Storch, Planning and Zoning Official, City of Hialeah, addressed the City Council on this item.

REPORT: Frank De La Paz, 2300 West 84 Street, addressed the City Council on this item.

NEXT CITY COUNCIL MEETING: Tuesday, November 8, 2016 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, November 8, 2016 at 6:30 p.m.

REPORT: Meeting was adjourned by Council President Gonzalez at 9:08 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).